

Notice of Allowability

Application No.

09/912,315

Examiner

Kevin M. Nguyen

Applicant(s)

KOBAYASHI ET AL.

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/30/2005.
2. ☒ The allowed claim(s) is/are 3, 4, 17, 18 and 31-48 renumbered as claims 1-22.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

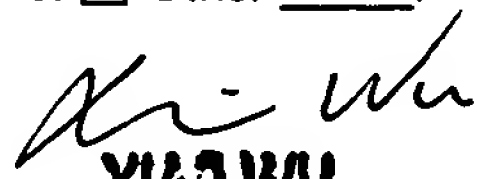
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 12/01/2005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


XIAO WU
PRIMARY EXAMINER

Kevin M. Nguyen
Patent Examiner
Art Unit: 2674

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joel Armstrong on December 1st, 2005.

The application has been amended as follows: please cancel new claims 49-54.

REASONS FOR ALLOWANCE

2. This office action is made in response to applicant's amendment/argument filed on September 30, 2005 and interview summary filed on December 1st, 2005. Claims 1, 2, 5-16, 19-30 and 49-54 are cancelled, independent claims 3, 4, 17 and 18 are amended, and dependent claims 31-48 are new. Thus, claims 3, 4, 17, 18 and 31-48 are pending. Applicant's arguments, see pages 12-13, with respect to claims 3, 4, 17 and 18 have been fully considered and are persuasive. The rejection of claims 3, 4, 17 and 18 has been withdrawn.

3. Claims 3, 4, 17, 18 and 31-48 are allowed.

4. The following is an examiner's statement of reasons for allowance:

The instant application is directed to an nonobvious improvement over the invention described in Pat. No. 6,388,649 to Tanaka et al. and Pat. No. 5,153,761 to Marlor. The improvement comprises a recording method for a photo addressable recording medium including an optical switching element and a display element, the optical switching element including a charge generating layer and a charge transport layer, a resistance component of the optical switching element being controlled at least depending on a direction of an applied voltage, the method comprising: applying the periodic voltage and the residual voltage to the display element during light irradiation corresponding to the electrical charge amount and being effectively smaller than the threshold voltage and larger than a ground potential for a residual duration corresponding to a charge storage time greater than the period duration. This patentable distinction is included in all independent claims 3, 4, 17 and 18.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin M. Nguyen whose telephone number is 571-272-7697. The examiner can normally be reached on MON-THU from 8:00-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick N. Edouard can be reached on 571-272-7603. The fax phone

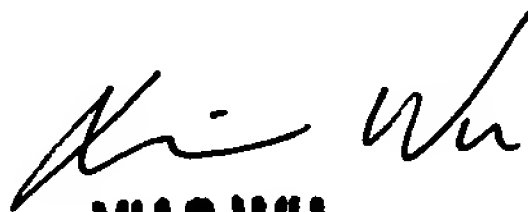
Art Unit: 2674

number for the organization where this application or proceeding is assigned is 571-273-8000.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the Patent Application Information Retrieval system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin M. Nguyen
Patent Examiner
Art Unit 2674

KMN
December 1, 2005


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PRIMARY EXAMINER